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8 GARY DALE BARGER,
9 Plaintiff,
10 v.
11 BARNES, et al.,
12 Defendants.
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15 Case No. 14-cv-05467-WHO (PR)
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ORDER OF DISMISSAL

18 Plaintiff Gary Dale Barger has failed to comply with the Court's order to (1) file an
19 application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of \$400.00.
20 Accordingly, the action is DISMISSED without prejudice for failing to respond to the
21 Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this
22 dismissal is without prejudice, Barger may move to reopen the action. Any such motion
23 **must** contain a complete IFP application **or** full payment for the \$400.00 filing fee. The
24 Clerk shall enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

25 **Dated:** January 29, 2015

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28 WILLIAM H. ORRICK
United States District Judge